

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	<div style="font-size: 1.2em; font-weight: bold;">AP3 Rec'd PCT/PTO 22 MAY 2006</div> <div style="font-size: 0.8em;">622-95</div>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/580173</div> <div style="font-size: 0.8em; text-align: center;">unassigned</div>
INTERNATIONAL APPLICATION NO. PCT/EP2004/052699	INTERNATIONAL FILING DATE 28 October 2004	PRIORITY DATE CLAIMED 20 November 2003 24 December 2003
TITLE OF INVENTION POLYMORPHS OF 1-CYCLOPROPYL-7-[(S,S)-2,8-DIAZADICYCLO[4.3.0]NON-8-YL)-6-FLUORO-1,4-DIHYDRO-8-METHOXY-4-OXO-3-QUINOLINE CARBOXYLIC ACID HYDROCHLORIDE AND METHODS FOR THE PREPARATION THEREOF		
APPLICANT(S) FOR DO/EO/US <div style="text-align: center; font-weight: bold;">TURCHETTA et al</div>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (22 pages specification, 33 claims & 1 page abstract, 8 sheets drawings (Figs. 1-8)). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation). b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <ol style="list-style-type: none"> a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 To 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> A FIRST preliminary amendment. b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information. PCT/IB/304; International Search Report w/references 		

U.S. APPLICATION NO. (If known, see 37) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/580173</div> <div style="font-size: 10pt; text-align: center;">Unassigned</div>		INTERNATIONAL APPLICATION NO. PCT/EP2004/052699		ATTORNEY'S DOCKET NUMBER 622-95																									
<input checked="" type="checkbox"/> The following fees are submitted:																													
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):																													
21.	<input checked="" type="checkbox"/> Basic national fee	\$300.00 (1631)/\$150.00 (2631)	\$	300.00																									
22.	<input checked="" type="checkbox"/> Examination Fee.....	\$0 (1643/2643)																											
		\$200.00 (1633)/\$100.00 (2633)	\$	200.00																									
23.	<input checked="" type="checkbox"/> Search Fee	\$0 (1640/2640)																											
		\$100 (1641)/\$50 (2641)																											
		\$400 (1642)/\$200 (2642)																											
		\$500.00 (1632)/\$250.00 (2632)	\$	400.00																									
TOTAL OF ABOVE CALCULATIONS				\$	900.00																								
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																													
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																										
30	-100	0 /50 =	0.00																										
			\$0.00 (1681)	\$	0.00																								
			\$0.00 (2681)																										
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).																													
				\$	130.00																								
<table style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;"># EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:10%;"></th> <th style="width:25%;"></th> </tr> <tr> <td>Total Claims</td> <td>43</td> <td>minus 20 =</td> <td>23 X</td> <td>\$50.00 (1615)/</td> <td>\$25.00 (2615)</td> </tr> <tr> <td>Independent Claims</td> <td>11</td> <td>minus 3 =</td> <td>8 X</td> <td>\$200.00 (1614)</td> <td>\$100.00 (2614)</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td colspan="2">\$360.00 (1616)/\$180.00 (2616)</td> <td>\$ 0.00</td> </tr> </table>						CLAIMS	NUMBER FILED	# EXTRA	RATE			Total Claims	43	minus 20 =	23 X	\$50.00 (1615)/	\$25.00 (2615)	Independent Claims	11	minus 3 =	8 X	\$200.00 (1614)	\$100.00 (2614)	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616)		\$ 0.00
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Total Claims	43	minus 20 =	23 X	\$50.00 (1615)/	\$25.00 (2615)																								
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MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616)		\$ 0.00																								
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)																													
				\$	0.00																								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.																													
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).																													
				+	0.00																								
TOTAL NATIONAL FEE =				\$	3780.00																								
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property																													
				+	0.00																								
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)																													
				\$	0.00																								
TOTAL FEES ENCLOSED =				\$	3780.00																								
					Amount to be refunded:																								
					\$																								
					Amount to be Charged:																								
					\$																								

U.S. Application No. Unassigned; Atty Docket No. 622-95

10/580173

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- a. ☐ A check in the amount of \$3780.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$3780.00 to cover the above fees. A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☒ **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. ☒ The entire content of International Application No. **PCT/EP2004/052699** and any U.S. and foreign application(s) corresponding thereto, and MI2003A002259, referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

Direct all correspondence to:

☒ Customer Number:

23117

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here

Telephone: (703) 816-4000
LCM:lfm


Leonard C. Mitchard
NAME

29,009 May 22, 2006
REGISTRATION NUMBER Date